

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 1ST NOVEMBER 2007 / 10TH KARTHIKA 1929

WP(C).No. 32510 of 2007(T)

PETITIONERS:

- 1. SAROJINI, D/O.KUNJI,
AGED 69 YEARS, RESIDING AT THAZHATHU VILAKOM,
EDAGRAMAM, KARUMAM P.O., THIRUVANANTHAPURAM.**
- 2. SUDHA.O., D/O.OMANA,
AGED 46 YEARS, RESIDING AT THALAVANKONATHU
VADAKKUMKARA VEEDU, PUNNATHANAM,
VILAPPILSALA P.O., THIRUVANANTHAPURAM.**
- 3. VIJAYAKUMAR.M., S/O.MADHAVA PANICKER,
AGED 47 YEARS, RESIDING AT THALAVANKONATHU
VINAYA BHAVAN, PUNNATHANAM, VILAPPILSALA P.O.,
THIRUVANANTHAPURAM.**
- 4. VALSALA, D/O.BHAVANI,
AGED 55 YEARS, RESIDING AT SAGAR QUARTERS,
KARAKULAM P.O., THIRUVANANTHAPURAM.**
- 5. GOPAKUMAR.M., S/O.MADHAVA PANICKER,
AGED 43 YEARS, RESIDING AT THALAVANKONATHU
VADAKKUMKARA VEEDU, PUNNATHANAM,
VILAPPILSALA P.O., THIRUVANANTHAPURAM.**
- 6. SUMANGALA, D/O.BHARATHI,
AGED 47 YEARS, RESIDING AT NEENA BHAVAN,
ANAMUKHAM, VILAPPILSALA P.O., THIRUVANANTHAPURAM.**
- 7. VIJAYAMMA, D/O.KUNJI,
AGED 64 YEARS, RESIDING AT THALAVANKONATHU
VADAKKUMKARA VEEDU, PUNNATHANAM, VILAPPILSALA P.O.
THIRUVANANTHAPURAM.**

**8. JAYAKUMAR.M., S/O.MADHAVA PANICKER,
AGED 38 YEARS, RESIDING AT THALAVANKONATHU
VADAKKUMKARA VEEDU, PUNNATHANAM, VILAPPILSALA PO,
THIRUVANANTHAPURAM.**

**BY ADV. SRI.AYYAPPAN SANKAR
SRI.M.ZIYAD
SRI.M.M.RAJNEESH**

RESPONDENTS:

**1. DISTRICT COLLECTOR,
COLLECTORATE, THIRUVANANTHAPURAM.**

**2. THE ADDITIONAL TAHSILDAR,
NEYATTINKARA, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SMT.M.K.PUSHPALATHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

ANTONY DOMINIC, J.
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W.P.(C) NO. 32510 OF 2007 T
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Dated this the 1st day of November, 2007

J U D G M E N T

Ext.P5 series orders were issued to the petitioners, requiring them to vacate from the premises under their occupation. Though, I am satisfied that this court should not invoke its extraordinary power to examine the validity of Ext.P5, in as much as the same is appealable in terms of the provisions contained in the Kerala Land Conservancy Act itself, I think, the petitioners should be given a breathing time to pursue their appellate remedy.

Accordingly, without prejudice to the contentions that are raised, I dispose of this writ petition directing that if they are so advised, the petitioners may file appeals against Ext.P5. In order to enable the petitioners to file appeals and obtain interim orders, I direct that for a period of two weeks from today, the implementation of Ext.P5 series shall be kept in abeyance.

ANTONY DOMINIC, JUDGE.

Rp